

REMARKS

Reconsideration and allowance of this application are respectfully requested. Claims 1-12 and 19-20 remain in this application as amended herein, claims 13-16 and 21 are cancelled, and claims 22-28 are added. Accordingly, claims 1-12, 19-20, and 22-28 are submitted for the Examiner's reconsideration.

Claims 4-5 and 11-12 have been amended solely to have the claims better conform to the requirements of U.S. practice. None of these amendments is intended to narrow the scope of any of these claims, and no new matter has been added by these amendments.

In the Office Action, claims 1-12 and 19-21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ito (U.S. Patent No. 5,671,354) in view of Shiotsu (U.S. Patent No. 6,993,358). Applicants submit that the claims are patentably distinguishable over the cited references.

As an example, amended claim 1 calls for:

a communication server machine connected to the network and operable to manage, for each one of said plurality of client terminal devices, the unique identification number assigned to that client terminal device and user information specific to a user of that client terminal device which indicates at least conditions under which that client terminal device may be connected to the network, the conditions including at least one transmission rate available to that client terminal device and a type of peripheral device associated with that client terminal device[(Emphasis added.)]

Neither the relied on sections of Ito nor the relied on sections of Shiotsu disclose or suggest conditions under which a client terminal device may be connected to a network that include at least one transmission rate available to that client terminal device, and neither the relied on sections of Ito nor the relied on sections of Shiotsu disclose or suggest conditions under

which a client terminal device may be connected to a network that include a type of peripheral device associated with that client terminal device.

Rather, as the Examiner acknowledges, "Ito failed to disclose '... [w]herein the conditions include an available transmission bit rate of client terminal device and a type of peripheral device associated with each client terminal device'."

Moreover, though the relied on sections of Shiotsu describe controlling a transmission condition of a wireless transceiver of a first communication unit, the relied on sections of the reference merely describe that control of such a transmission condition is carried out in accordance with communication states of the first and second communication units and that control of such a transmission condition is carried out in accordance with an application activated in relation to the connection of the first communication unit or device data of the another information processing device. (See col.4 ll.51-58.) The relied on sections of the patent fail to disclose or suggest which transmission condition is controlled. At best, the relied on sections of Shiotsu simply describe that a user may modify transmission power default values of the communication units (see col.7 ll.25-24) rather than disclose or suggest modifying a transmission rate. (See, e.g., ¶ [0003]-[0004] of the specification for examples of transmission rates.) Hence, the relied on sections of Shiotsu do not disclose or suggest that a transmission condition includes at least one transmission rate available to a client terminal device, and the relied on sections of Shiotsu do not disclose or suggest that a transmission condition includes a type of peripheral device associated with a client terminal device.

Amended claim 1 also calls for:

in response to a user of a first one of said plurality of client terminal devices requesting

communication using a selected communication application with a user of a second one of said plurality of client terminal devices, said communication server machine being further operable (i) to determine whether the selected communication application is suitable for communication between the first client terminal device and the second client terminal device based on first user information specific to the user of the first client terminal device and second user information specific to the user of the second client terminal device, and (ii) to provide a connection for communication between the first client terminal device and the second client terminal device if the selected communication application is suitable. (Emphasis added.)

Neither the relied on sections of Ito nor the relied on sections of Shiotsu disclose or suggest providing a connection for communication between client terminal devices if a selected communication application is suitable.

Rather, the relied on sections of Ito merely indicate that a client terminal may log in on a destination server by use of transmitted user authentication information for that server and that the user authentication information is information registered for the user such as a user ID and a password. (See col.2 11.30-35 and 43-47.) The relied on sections of the reference do not disclose or suggest that a client terminal may log in on a destination server if a selected communication application is suitable.

The relied on sections of Shiotsu do not address the deficiencies of Ito.

It follows, for at least the above reasons, that neither the relied-on sections of Ito nor the relied-on sections of Shiotsu, whether taken alone or in combination, disclose or suggest the communication system defined in claim 1, and claim 1 is therefore patentably distinct and unobvious over the relied-on references.

Independent claims 2, 9, and 19 have each been amended

to call for features similar to those set out in the above excerpts of claim 1, and each is therefore patentably distinct and unobvious over the relied-on sections Ito and Shiotsu at least for the same reasons.

Claim 20 depends from claim 1 and is therefore distinguishable over the relied-on references for at least the same reasons.

Further, independent claim 3 as amended recites:

a list storage unit operable to store a list including, for each one of said user terminal device and the plurality of client terminal devices, the unique identification number assigned to that terminal device, an address of that terminal device, and conditions under which that terminal device may be connected to the network, the conditions including at least one transmission rate available to that terminal device and a type of peripheral device associated with that terminal device[.] (Emphasis added.)

Claim 3 is thus distinguishable over the relied-on sections of Ito and Shiotsu for at least the reasons set out above regarding claim 1.

Also, amended claim 3 recites:

a connection controller operable, in response to a user of said user terminal device requesting communication with a user of a particular one of said plurality of client terminal devices, (i) to locate in said application storage unit at least one of the plurality of communication applications that meets the conditions for connecting said user terminal device to the network and the conditions for connecting the particular terminal device to the network, and (ii) to provide a connection for communication between said user terminal device and the particular terminal device if the at least one communication application is located. (Emphasis added.)

Neither the relied on sections of Ito nor the relied on sections of Shiotsu disclose or suggest providing a connection for communication between client terminal devices if a communication application is located.

As pointed out above, the relied on sections of Ito

simply describe that a client terminal may log in on a destination server by use of transmitted user authentication information for that server and that the user authentication information is information registered for the user such as a user ID and a password. Hence, the relied on sections of the patent do not disclose or suggest that a client terminal may log in on a destination server if a communication application is located.

As also pointed out above, the relied on sections of Shiotsu do not address these deficiencies.

It follows, for at least the above reasons, that neither the relied-on sections of Ito nor the relied-on sections of Shiotsu, whether taken alone or in combination, disclose or suggest the device set out in claim 3, and claim 3 is therefore patentably distinct and unobvious over the relied-on references.

Independent claims 6 and 10 have each been amended to call for features similar to those set out in the above excerpts of claim 3, and each is therefore patentably distinct and unobvious over the relied-on sections Ito and Shiotsu at least for the same reasons.

Claims 4-5 depend from claim 3, claims 7-8 depend from claim 6, and claims 11-12 depend from claim 10. Each of these claims is therefore distinguishable over the relied-on references for at least the same reasons as its parent claim.

Accordingly, Applicants respectfully request the withdrawal of the rejection under 35 U.S.C. § 103(a).

New claim 22 depends from claim 1, new claim 23 depends from claim 2, and new claim 24 depends from claim 9. Therefore, each of these claims is distinguishable over the relied-on references for at least the same reasons as its parent claim. Support for new claims 22-24 is found, e.g., in Fig. 2 and in ¶¶ [0047]-[0054] of the specification.

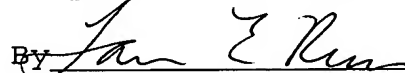
New claim 25 includes features similar to those set out in claim 2, new claim 26 includes features similar to those set out in claim 6, new claim 27 includes features similar to those set out in claim 9, and new claim 28 includes features similar to those set out in claim 10. Therefore, each of new claims 25-28 is distinguishable over the relied-on references for at least the same reasons and is similarly supported.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicants' attorney at (908) 654 5000 in order to overcome any additional objections which the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

By 

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